IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No. 18730-M of 2006

DATE OF DECISION: FEBRUARY 8, 2007

Santosh Kumari

...PETITIONER

VERSUS

State of Punjab and others

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

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Santosh Kumari, mother of Naresh Kumar, deceased, has filed this petition under Section 482 Cr.P.C. for issuing direction to respondents No.2 and 3 for registration of a criminal case under Section 302 IPC or under Section 306 IPC against respondent No.4-Nachhatar Singh.

I have heard the counsel for the parties and gone through the record of the case.

In the petition, it has been alleged that the son of the petitioner had committed suicide on 8.2.2004 by hanging himself with the Girder of the roof. It has been alleged that her son committed suicide on the abetment of respondent No.4. This petition has been filed after about two years of the alleged occurrence.

In the reply filed by respondents No.1 to 3, it has been stated that the petitioner or any of her family members never reported to the police that the death of the son of the petitioner was unnatural. The dead body of the deceased was cremated by them and after two years the petitioner is

making the complaint that her son committed suicide on the abetment of respondent No.4. In the reply, it has been specifically stated that there was a dispute between the petitioner and her daughter-in-law Meena Rani, who sold certain portion of the property, which came to her share, to respondent No.4-Nachhatar Singh and on that account, false allegations have been levelled against Nachhatar Singh. During the enquiry conducted, it was found that because of that dispute, false allegations have been levelled.

In view of the aforesaid reply and the fact that after two years of the alleged occurrence, the instant petition was filed, and even the dead body of the son of the petitioner was cremated by the petitioner and her other family members, I do not find the instant case as an exceptional case for issuing the aforesaid direction in exercise of the inherent powers of this Court under Section 482 Cr.P.C.

Dismissed.

February 8, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE